



Missouri
Department of
Natural Resources

GEOLOGICAL SURVEY AND RESOURCE ASSESSMENT DIVISION

DAM AND RESERVOIR SAFETY COUNCIL MEETING
DEPARTMENT OF NATURAL RESOURCES
GEOLOGICAL SURVEY AND RESOURCE ASSESSMENT DIVISION
CONFERENCE ROOM
ROLLA, MISSOURI

March 12, 2003

Mary Hagerty, Chairman of the Dam and Reservoir Safety Council, called the meeting to order at 10:00 a.m. in the conference room at the Geological Survey and Resource Assessment Division in Rolla, Missouri.

Council members present were Dean E. Freeman, Zoretta Schoonover, John Boyer, Jeff Cawlfeld, Richard Frueh, and Barbara Adelman. Members of the Dam and Reservoir Safety Program present were James L. Alexander and Tammy Theilen. Representing the Attorney General's Office was Barry Gilbert, Assistant Attorney General.

INTRODUCTION OF GUESTS

Guests present were Bill Duley, Deputy Director of the Geological Survey and Resource Assessment Division; Denise Evans, Department of Natural Resources, Office of the Director; Betty Freeman; Clarence Schoonover; Terry & Barbara McNulty; John Beger; Bill E. Morrison; Ralph Hess; and Patricia Alvarez. Mary Hagerty asked everyone to introduce themselves and invited questions and comments as they had input into the meeting.

MINUTES OF THE DECEMBER 11, 2002 COUNCIL MEETING

Mary Hagerty asked if anyone had any comments regarding the December 11, 2002 council meeting minutes. Hearing none, she asked for a motion to accept the minutes as written. John Boyer made a motion to accept the minutes of the December 11, 2002 meeting as written. Barbara Adelman seconded the motion and it passed.

STATUS OF PERMITS

The council was updated on the number of permits that the program has issued since the last meeting, the new dams that are currently under construction, and where the program stands with regard to bringing the total number of regulated dams into compliance.

COUNCIL ACTION & UPDATE

McNulty Dam – MO31915 – Jim Alexander updated the council on what had been done with regard to the McNulty Dam since the last council meeting. He explained that in accordance with the

Council's direction given him at the December 2002-council meeting, Mr. Alexander made a site visit to the McNulty dam to discuss with Mr. McNulty the number of barriers that the council would like to see removed. This meeting had to be prematurely aborted so the issue of how many barriers needed to be removed was not resolved at the time of the site visit.

He explained that in order to update the council on the current status of the dam, a few days prior to the council meeting Mr. Beger, attorney for Mr. McNulty, submitted a set of photos that showed the work that has been performed at the site. The pictures showed that approximately eight barriers had been sawed off, approximately 4 barriers had been removed from the left end of the dam, and Mr. McNulty was in the process of completing another open channel spillway on the left abutment. He concluded that based on the minimum elevation of the top of the concrete barriers being changed as a result of Mr. McNulty cutting the top of 8 of the barriers off, the height of the dam was now less than 35 feet in height.

The floor was then given to Mr. John Beger to address the council. He explained that the tops of the barriers had been cut off to reduce the height of the dam to 34 feet – 8 inches. The owner does not want to remove all of the barriers because he wants them to serve as a curb to raise the roadway that traverses the crest of the dam. It is Mr. McNulty's intent to raise this roadway up to bottom of the cut out sections in the wall with compacted clay and gravel. This would make the roadway level and also provide support for the wall to reduce the threat of the wall overturning.

Ms. Hagerty pointed out that the council, for safety purposes, had advised against cutting the tops off the barriers as a way to lower the height of the dam. While it lowers the height of the dam, the council's concerns that the barriers may overturn during flood events were still a factor.

Mr. Beger commented that this was Mr. McNulty's solution and acknowledged it did not comply with the council's guidance. Mr. McNulty commented that he accepted the fact that he had sole responsibility for the safety of the dam and the damage done by the lake if the dam should fail.

Following this discussion, Ms. Adelman made a motion to untangle the motion made at the previous meeting. It was seconded by Mr. Cawlfeld and passed.

Mr. Cawlfeld then made a motion to accept the Chief Engineer's statement that the dam was now less than 35 feet and is no longer regulated. Mr. Frueh seconded it and it passed.

Lost Creek B-2 Dam – MO20730 - Jim Alexander gave a brief history of the dam and explained that it was built by the NRCS for flood control purposes. When the dam was built, it was designed as a low hazard dam. However, since this time development has occurred below the dam and it is now considered to be a class 2 dam. The current spillway capacity does not meet the requirements of a class 2 dam.

Mr. Alexander told the council that the NRCS had submitted a schedule for the work to be performed at the dam using money obtained through the Small Watershed Rehabilitation Act. Due to the lengthy process required to get this money, the schedule shows it will take at least a couple of years to upgrade the dam. Based on this schedule, he commented that no further enforcement action is needed at this time.

There was some discussion on the council's position regarding schedules that they ask for. All agreed that the need to be consistent when requesting this type of information was crucial. Mr. Boyer recommended that owner be advised that the Dam Safety Program would review the schedule to see if it was acceptable. This would help avoid the perception that any schedule submitted would be automatically acceptable.

Lake Hanna Dam – MO30314 – Jim Alexander gave a brief history of the dam. He explained that the owners had performed work on the spillway without a construction permit and as a result of that work significantly reduced the spillway capacity. The owners were asked to either submit a study showing that the current spillway would meet the minimum safety requirements or a construction permit to upgrade the spillway capacity. In response, the owner submitted a letter from an engineering firm indicating that they had been retained to do a study on the spillway and that the study should be completed by February 1, 2003. Mr. Alexander stated that the engineering study has been submitted and is currently being reviewed by the program.

FY-2003 BUDGET

Jim Alexander introduced Nona Lancaster, Program Director for the GSRAD Administration Program, to discuss the budget with the council. Nona stated that the House is recommending a 14% reduction to the Dam Safety Budget. She explained that the budget will now go to the Senate for deliberation. Depending on what the Senate comes up with, any differences will be resolved in a conference committee. It will be several more weeks before a final decision is reached. Mr. Alexander commented that the 14% reduction, if approved, would be approximately \$41,000. This level of budget reduction would likely result in the elimination of our vacant engineering position. While this would create a tremendous hardship for the program, even a larger problem may occur in the near future. Russ Adams is planning to retire as soon as the fate of an early retirement bill currently being debated in the legislature is determined. Preliminary indications are that only 1 out of every 4 employees that retire as a result of this bill will be replaced. Mr. Alexander stated that major changes would have to be made to the way the program is run if the program staff is reduced to 4 people.

FINANCIAL DISCLOSURE STATEMENTS

Ms. Hagerty reminded the council members that they should fill out and submit their Financial Disclosure Statements by May 1st to avoid fines.

DATE AND LOCATION OF NEXT COUNCIL MEETING

The next meeting of the Dam and Reservoir Safety Council will be June 17, 2003 at 10:00 a.m. The location of the meeting will be the Conference Room of the Geological Survey and Resource Assessment Division in Rolla, Missouri.

MEETING ADJOURNED

Ms. Adelman made a motion to adjourn the meeting. Mr. Boyer seconded and it passed.

Respectfully Submitted,

Tammy Theilen